



VIA HAND DELIVERY FEBRUARY 8, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Moore et al.

Attorney Docket No.: PF466

Application Serial No.: 09/263,626

Art Unit: 1646

Filed: March 5, 1999

Examiner: Brannock, M.

For: **Cytokine Receptor Common
Gamma Chain Like**

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SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. § 1.111 TO PAPER NO. 15

Commissioner for Patents
Washington, D.C. 20231

Sir:

Supplementing the response filed on November 21, 2001 to the Office Action dated May 22, 2001, (Paper No. 15), Applicants hereby request that the following remarks and Declarations be entered into the above-identified application. Applicants submit concurrently herewith: (a) a Fee Transmittal; and (b) two executed declarations including exhibits.

Remarks

Claims 25-50, 60-131 and 133-155 will be pending in this application upon entry of the present response.

I. Rejection Under 35 U.S.C. §101

A. The Examiner rejects claims 25-50 and 60-151 under 35 U.S.C. § 101 because the claimed invention allegedly is not supported by either a specific, substantial and credible asserted utility or a well-established utility, as set forth in item 9 of Paper 11. Upon conclusion of the Examiner Interview, conducted on December 12, 2001, for which Applicants' counsel thank the Examiner, the Examiner asserted that it was unclear whether one of skill in the art would understand that a utility was asserted in the specification. The Examiner invited Applicants to submit declaration evidence rebutting this contention.

In response, Applicants hereby submit an executed Rule 131 Declaration by Dr. Thi-Sau Migone. Dr. Migone's declaration demonstrates that she is an immunologist and is

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